

SIXTY SIXTH DAY, MARCH 18, 2015

2015 REGULAR SESSION

**SIXTY SIXTH DAY****MORNING SESSION**

Senate Chamber, Olympia, Wednesday, March 18, 2015

The Senate was called to order at 10:00 a.m. by President Owen. No roll was taken.

**MOTION**

On motion of Senator Fain, the reading of the Journal of the previous day was dispensed with and it was approved.

**MOTION**

There being no objection, the Senate advanced to the first order of business.

**REPORTS OF STANDING COMMITTEES**

March 17, 2015

ESHB 1060 Prime Sponsor, Committee on Environment: Directing state investments of existing litter tax revenues under chapter 82.19 RCW in material waste management efforts without increasing the tax rate. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; McCoy; Braun; Brown; Cleveland; Habib and Honeyford.

Passed to Committee on Rules for second reading.

March 17, 2015

HB 1277 Prime Sponsor, Representative Klippert: Concerning transient lodging for military service members in armories. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille and Padden.

Passed to Committee on Rules for second reading.

March 17, 2015

HB 1622 Prime Sponsor, Representative Young: Expanding the products considered to be potentially nonhazardous as they apply to cottage food operations. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: Do pass as amended. Signed by Senators Warnick, Chair; Hatfield; Hobbs and Honeyford.

Passed to Committee on Rules for second reading.

March 17, 2015

EBH 1633 Prime Sponsor, Representative Zeiger: Giving preferences to housing trust fund projects that involve collaboration between local school districts and housing authorities or nonprofit housing providers to help children of

low-income families succeed in school. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair and Darneille.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Passed to Committee on Rules for second reading.

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ESHB 1845 Prime Sponsor, Committee on Environment: Concerning pharmaceutical waste. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; McCoy; Braun; Brown; Cleveland; Habib and Honeyford.

Passed to Committee on Rules for second reading.

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EBH 1989 Prime Sponsor, Representative Dent: Concerning water storage asset management services. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: Do pass as amended. Signed by Senators Warnick, Chair; Hatfield; Hobbs and Honeyford.

Passed to Committee on Rules for second reading.

**MOTION**

On motion of Senator Fain, all measures listed on the Standing Committee report were referred to the committees as designated.

**MOTION**

On motion of Senator Fain, the Senate advanced to the fifth order of business.

**INTRODUCTION AND FIRST READING**

SB 6082 by Senator Roach

AN ACT Relating to banning powdered alcohol; amending RCW 66.04.010; adding a new section to chapter 66.44 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Commerce & Labor.

**MOTION**

On motion of Senator Fain, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

**MOTION**

On motion of Senator Fain, the Senate advanced to the eighth order of business.

### MOTION

Senator Fain moved adoption of the following resolution:

#### SENATE RESOLUTION 8641

By Senators Fain and Keiser

WHEREAS, The Council of Educational Facility Planners International (CEFPI) is a worldwide professional association whose mission is to advocate for effective educational facilities for children; and

WHEREAS, CEFPI hosts competitive local, national, and international events where teams of students present designs for their "School of the Future," drawing national attention to the importance of well-planned, healthy, high-performance, safe, and sustainable schools; and

WHEREAS, Competing teams must submit an electronic narrative, presentation, and video documenting the design, rationale, planning process, and ideas to a jury of architects and engineers; and

WHEREAS, Students discover how to solve real-life problems as members of a design and planning team; and

WHEREAS, Teams competing at the local and state levels may earn the opportunity to represent their state at the International Competition in the fall; and

WHEREAS, A team of Mill Creek Middle School students in Kent collaborated with local architects Thomas Wadkins and Jason Romine to design their futuristic school design submission; and

WHEREAS, The Mill Creek Middle School team competed against teams from over twelve schools across the state with their design for a STEM career-focused school called West Lake Academy; and

WHEREAS, Dana Piehl worked as the dedicated leader for the Mill Creek Middle School team, providing logistical support for the students; and

WHEREAS, On April 4, 2014, the Mill Creek Middle School team was named State Winners to represent the State of Washington in the Pacific Northwest Regional Competition, competing against teams from Alaska, Idaho, Oregon, as well as the provinces of Alberta, British Columbia, and Saskatchewan;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize Daniel Anderson, Brooke Roshon, Adria Sutliff, Asia Tanis, and Jenna Yee for their pursuit of academic excellence and their vision for the future of education while representing their community and the State of Washington.

Senator Fain spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8641.

The motion by Senator Fain carried and the resolution was adopted by voice vote.

### MOTION

At 10:08 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

### JOINT SESSION

The Senate appeared at the Chamber doors and requested admission. The Sergeant at Arms of the House and the Sergeant at Arms of the Senate escorted President of the Senate Lieutenant Governor Brad Owen, and Senator Andy Billig to seats on the Rostrum. The Senators were invited to sit within the Chamber.

The Speaker (Representative Moeller presiding) called upon President Owen to preside.

The President of the Senate, Lieutenant Governor Owen called the Joint Session to order. The Clerk called the roll of House members. The Clerk called the roll of Senate members. A quorum of the Legislature was present.

The President appointed a special committee to escort the Supreme Court Justices to the House Chamber: Representatives Kilduff and Smith, and Senators Padden and Rolfes.

The President appointed a special committee to escort the State elected officials to the House Chamber: Representatives Riccelli and Hayes, and Senators Dansel and McAuliffe.

The President appointed a special committee to advise His Excellency, Governor Jay Inslee, that the joint session had assembled and to escort him to the House Chamber: Representatives McBride and Harmsworth and Senators Jayapal and Roach.

The President appointed a special committee to escort the Medal of Merit and Medal of Valor honorees to the House Chamber: Representatives Gregerson, Kristiansen and Scott and Senators Fraser and Pearson.

The Supreme Court Justices arrived, were escorted to the floor of the House Chamber and were introduced: Chief Justice Barbara Madsen, and Justices Susan Owens, Debra Stephens, Sheryl Gordon McCloud, and Mary Yu.

The State elected officials arrived, were escorted to the floor of the House Chamber and were introduced: Secretary of State Kim Wyman, Treasurer Jim McIntire, and Commissioner of Public Lands Peter Goldmark.

His Excellency Governor Jay Inslee arrived, and was escorted to the Rostrum and introduced.

The Medal of Merit and Medal of Honor honorees arrived and were escorted to the Rostrum.

The President introduced Medal of Merit honorees Gretchen Schodde; and Willie and Tobin Frank (on behalf of Medal of Merit honoree Billy Frank Jr.), and Medal of Valor honorees Brantly Stupey (on behalf of the city of Arlington), Quinn Nations (on behalf of the town of Darrington), Willy Harper (on behalf of the community of Oso), and Kevin Lenon (on behalf of the Sauk-Suiattle Tribe).

The President introduced the special guests present in the Chambers: First Lady Trudi Inslee, 2007 Medal of Merit Recipient, Bill Gates, Sr., 2007 Medal of Valor recipient Timothy

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Bourasaw and his wife Janie, Former Secretaries of State Ralph Munro and Sam Reed, Snohomish County Executive and former Speaker Pro Tempore John Lovick, and Director of the Department of Emergency Management for Snohomish County and former Speaker Pro Tempore John Pennington.

The flags were escorted to the rostrum by the Darrington Fire District 24 Color Guard. Holly Harmon sang the National Anthem. The President led the Chamber in the Pledge of Allegiance. Prayer was offered by Reverend Joel Johnson, Chaplain, Oso Fire Department and Pastor at Assembly of God Church, Arlington.

Reverend Joel Johnson: "Thank you Mr. President. Would you please join me. Heavenly Father, thank you for the opportunity to gather here today to honor and celebrate the spirit of community. Please bless everyone who is represented here today. We recognize the sense of unity that brought us together in the face of great adversities. Help us to continue to be strong and stand together in the days ahead. During this time especially, we ask for comfort, peace and strength. Encourage us as we look to the future with great hope. For our legislative representatives, we ask You for guidance, direction, clarity and wisdom in every decision made. Please bless them with creativity to find new dynamic and exciting solutions to any challenges. Help us all with our common goal to leave an amazing legacy for Washington State. We humbly ask these things. Amen."

President Owen: "The purpose of the Joint Session is to award the Medal of Merit and Medal of Valor to some of our state's most outstanding and distinguished citizens."

#### **MEDAL OF MERIT**

Secretary of State Kim Wyman: "Thank you all for being here for this significant event. Our collective hearts are filled with gratitude and respect for all those being recognized today. The Medal of Merit is the highest award given by our state to Washingtonians. It honors those whose extraordinary achievements have benefited others. This recognition was created by the Legislature in 1986. Recipients are selected by the State Medal of Merit Committee which consists of the Governor, President of the Senate, Speaker of the House and Chief Justice of the Supreme Court. The first Medal of Merit ceremony was held in 1987. Since then 30 people have received this prestigious honor, with the last being given in 2009. The Medal of Merit has the name of the recipient engraved on the back with the following inscription 'For exceptionally meritorious conduct in performing outstanding services to the people and state of Washington.' It is a privilege to personally congratulate the two individuals being recognized with the 2015 Medal of Merit for a lifetime of remarkable achievements. Thank you.

#### **GRETCHEN SCHODDE**

President Owen: "It is now my pleasure to honor the work of Gretchen Schodde. Gretchen Schodde is a founder of Harmony Hill Retreat Center in Union, a center focused on wellness and renewal for individuals and families affected by a cancer diagnosis. This care is provided at no cost to the participants. She pioneered a supporting response to cancer diagnoses that has become a national model, focusing beyond the cancer diagnosis to support overall health and wellness. Ms. Schodde has been a groundbreaking health care professional, emergency first

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responder, educator and volunteer for nearly 50 years. She has been a leader in promoting health and wellness as a community-wide effort and a leader in Mason County health and safety programs for over two decades as a former public health nurse, a past director of Mason County Drug Abuse Prevention, and as a firefighter and critical incident responder in Mason County. It is our honor and privilege to present the Medal of Merit to Gretchen Schodde."

The Governor presented to Gretchen Schodde the Medal of Merit and certificate.

Gretchen Schodde: "Thank you Lieutenant Governor Owen, Governor Inslee and esteemed members of this chamber. I am humbled by this tremendous honor. Harmony Hill has been a grace, grit and gratitude filled adventure. Amazing people have shown up to help and I am grateful for every one of them. Thank you. Last time I was in this chamber was actually more than forty years ago when the Nurse Practice Act was being voted on and hundreds of citizens from rural communities, especially Darrington where I was working as a nurse practitioner, were here pitching for the expanded role of the nurse. The bill passed and my life has never been the same. The thread of nursing has been woven around my heart and has been the core of my life work. There is a poem about the thread by William Stafford that I would like to share with you. 'There's a thread you follow. It goes among things that change. But it doesn't change. People wonder about what you are pursuing. You have to explain about the thread. But it is hard for others to see. While you hold it you can't get lost. Tragedies happen; people get hurt or die; and you suffer and get old. Nothing you do can stop time's unfolding. You don't ever let go of the thread.' My heartfelt thanks for the great work all of you are doing for the State of Washington. Come visit Harmony Hill. Never let go of the thread. Thank you so much."

#### **BILLY FRANK, JR.**

Representative Sawyer: "Billy Frank Jr., a world-renowned tribal leader, dedicated his life to the salmon, the environment, and peace between diverse cultures. Billy's activism began at age 14, with his first arrest on the banks of the Nisqually River; he refused to stop fishing. Billy was an integral player in the fight for treaty fishing rights. The "fish wars" between Pacific Northwest Indian tribes and Washington State escalated to a fever pitch in the 1960s, and the Nisqually Indian endured brutal clashes in the fallout. Billy became the longtime chairman of the Northwest Indian Fisheries Commission; a witness in the Boldt Decision (U.S. v. Washington), the landmark court case that restored tribal fishing rights in 1974; and facilitated strong relationships between competing interests that revived the Nisqually Watershed. Even into his 80s, Billy circled the globe to assist indigenous people in saving their own cultures and the environment. The late U.S. Senator Dan Inouye nominated Billy for the Nobel Peace Prize in 2010. Mr. Frank, as my script says but Billy would be upset if I called him that, Billy was devoted to the salmon with the hope of carrying out the work of his father, Willie Frank Sr., who is believed to be the last full-blooded Nisqually Indian. Billy Frank Jr., died May 5, 2014 at the age of 83. In my opinion he was the greatest civil rights hero in our state's history and it is an honor to present this award to his children today."

The Governor presented to Willie and Tobin Frank, on behalf of Billy Frank Jr., the Medal of Merit and certificate.

Tobin Frank: “My brother and I are truly honored to be here today to accept this award on behalf of my dad. You know we wish he was still with us right now but he is here in spirit with us and looking down on everybody in this room. We thank the State of Washington for this award. He devoted his whole life to protecting our treaty rights, to protecting our salmon, our way of life, but his biggest thing was relationships. He was one of a kind. He could sit in the room with the state and make things happen. He could pave the way for all of us and I truly believe that we have to keep his legacy going, keep what he wanted going, as far as the tribes and the state working together for the interest of our natural resources. We are truly honored to be here. We are honored that all our family and friends are able to be here today to accept this. He had a lot of nieces and nephews and family members, we are all honored to be here today. Thank you very much.”

### **MEDAL OF VALOR**

Governor Inslee: “Thank you. Mr. President, Mr. Speaker, Secretary Wyman, Chief Justice Madsen, members of the Washington State Legislature. We gather today to recognize persons whose acts of bravery in the face of personal risk to themselves necessitate a unique honor from their fellow citizens. These persons are not necessarily part of our dedicated law enforcement organizations, our firefighters, or rescue personnel, but simply average citizens who responded to moments of crisis with complete selflessness. Long ago, the state determined that there were true Washington heroes, whose courageous actions were deserving of special recommendation and recognition. The State of Washington Medal of Valor was therefore created to establish a law-in law, to recognize, “any person who has saved, or attempted to save, the life of another at the risk of serious injury or death” to themselves. But because we are forward-thinking in our state, lawmakers recognized last year that sometimes giving this honor to an individual alone is insufficient; Sometimes in the face of great loss and tragedy, when an entire community rises up to save others, an entire community is therefore entitled to this recognition. And such is the case with the communities that rose up to save their families, friends, and neighbors during the catastrophic mudslide that struck on March 22, 2014. So today, I am honored to help recognize the tremendous acts of heroism and compassion by the communities of Oso, Darrington, Arlington, and the Sauk-Suiattle Tribe. Members of these communities, together assisted in the rescue, recovery, and relief efforts following the historic disaster. And on behalf of nearly 7 million Washingtonians, I offer a heartfelt thank you to these communities for their service during one of the greatest natural disasters in our state’s history. And as a personal note, this is the Medal of Valor, which denotes bravery, but having been in these communities for weeks and months after this, I can tell you that the intense light of their individual acts of bravery were met by the intense warmth of their thousands of acts of compassion, to help their communities heal. Thank you.”

Chief Justice Madsen: “On the morning of March 22, 2014, a devastating landslide occurred between Oso and Darrington, killing 43 people and destroying about 40 homes. The Oso landslide is the deadliest in U.S. history. It buried a square-mile area of the Stillaguamish River Valley under a blanket of mud, clay, trees and flood waters.

The Medal of Valor is presented to the many individuals from the communities of Oso, Darrington, Arlington and the Sauk-Suiattle (sock sue otel) Tribe who risked injury and death, and made

great personal sacrifice to assist in rescue, recovery and relief efforts following the tragedy. These heroes dug through the mud to find survivors and victims; lent and used equipment and machinery to aid in the rescue effort; organized town hall meetings, recruited volunteers and coordinated fundraising; helped hold their communities together with meals, comfort, prayers and housing.”

### **CITY OF ARLINGTON**

The Governor presented to Brantly Stupey, on behalf of the City of Arlington, the Medal of Valor and certificate.

Brantly Stupey: “Thank you. Thank you everyone here. I would like to start by saying thank you on behalf of the Arlington, Oso, Darrington and Sauk-Suiattle communities. I know myself and all the people with me today feel greatly honored to be accepting this award but it is because of the amazing people in our community and the timeless efforts of all the fire fighters, search and rescue workers and all other volunteer groups to numerous to mention that we are receiving this award. It is through this great tragedy, like all great tragedies, that challenge the human spirit, but something brings out the best in all of us. For this reason and through the strength, resiliency and love of our communities we have remained undaunted. The battle for healing is ongoing but through continued unity, in time, all will heal. With that being said, thank you again on behalf of our community for this tremendous honor.”

The Governor presented to Brantly Stupey, on behalf of the city of Arlington, the Medal of Valor and certificate.

### **TOWN OF DARRINGTON**

The Governor presented to Quinn Nations, on behalf of the Town of Darrington, the Medal of Valor and certificate.

Quinn Nations: “You sure are a tall drink of water. You know we appreciate it on behalf of Darrington, it is quite the honor, but I hope you have about two thousand more of them because there are a lot of people here that deserve one of them. And I think Steve Skaglund said it best when he made the statement about the slide, he said ‘Look at what the American people can do when you just untie their hands.’ Chew on that one for a little bit. We appreciate it. Thank you.”

The Governor presented to Quinn Nations, on behalf of the town of Darrington, the Medal of Valor and certificate.

### **COMMUNITY OF OSO**

The Governor presented to Willy Harper, on behalf of the Community of Oso, the Medal of Valor and certificate.

Willy Harper: Let me start by saying thank you. It is an honor to be up here with all the recipients. It is an honor to be up here to represent my town, our town, it’s not my town, and somebody stated that that day our community grew and it certainly did. It grew beyond Arlington, it grew beyond Darrington and Sauk-Suiattle. We had so many people helping us that day. Some words some people keep saying are humble and compassion and you just can’t imagine how much those words ring true when there are so many people come, that help your community. The looks on the faces of the people that came to help changed after those few weeks, and so many of those faces haven’t changed since then. We still have community members

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struggling and it is not just bureaucracy, sometimes it is just trying to connect those people to the right people that can help them and so I hope that no people recognize how great our communities were, and it is an honor to accept this. I hope they remember that there is a long road ahead of us but we wouldn't be where we are today if it wasn't for all the community members who stepped up so thank you. Thank you."

The Governor presented to Willy Harper, on behalf of the community of Oso, the Medal of Valor and certificate.

#### **SAUK-SUIATTLE INDIAN TRIBE**

The Governor presented to Kevin Lenon, on behalf of the Sauk-Suiattle Indian Tribe, the Medal of Valor and certificate.

Kevin Lenon: "Thank you. As a small sovereign nation of American Indians the Sauk-Suiattle Indian Tribe of Darrington Washington shares the belief of all our tribal nations that the earth is our mother and that the creator resides beyond the skies and within our own beings. While we strive to protect our mother earth so does she shelter us in so many ways from harm. There are times when the simple shifting of her garment may catch us in her movements and we are harmed. No one can explain the unnatural landslide event and we are shocked and saddened that our friends and neighbors of Washington lost their lives in such a massive shift of the earth. There were families, mothers, fathers, grandparents, aunts and uncles and so many precious children and there were visiting individuals who were traveling through the area. We performed our very sacred smudging and feeding the rivers ceremonies in reverence of our mother and to offer gratitude to the Creator that these lives were shared with us for a time. We are humbled by the honor bestowed by the Legislature, the Governor of the great State of Washington, recognizing our assistance in that horrible time of destruction. We are all small communities who live in the valleys of these beautiful mountains. We can most respectfully honor their memories of the precious lost ones by working together to build a strong and inviting community for the world to come and see and share and forever implant the importance of the names and the lives of those who have moved on to another world. We dedicate this honor you have bestowed on us to the lives lost, to those who worked so diligently to save lives and recover those who suffered death. And in their honor we pledge to work diligently with our neighboring communities and cities and groups to build a bright world of earthly beauty and a healthy human spirit. Thank you.

The Governor presented to Kevin Lenon, on behalf of the Sauk-Suiattle Indian Tribe, the Medal of Valor and certificate.

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The President recognized, and asked the members to stand and recognize, honored guests from the City of Arlington, Town of Darrington, Community of Oso, and the Sauk-Suiattle Indian Tribe seated in the galleries

President Owen: "Thank you to all of our honorees for your courage and your example. We are proud to honor you today. The State of Washington is truly blessed to have remarkable people who give so much of themselves and their time to enrich our communities. Through their selfless deeds the citizens we have had an opportunity to recognize here today, represent the best of that spirit. On behalf of a grateful state, we truly appreciate what all of you have done for the people of the state of Washington.

The President asked the special committee to escort the Medal of Merit and Medal of Valor recipients from the House Chamber.

The President asked the special committee to escort the Governor from the House Chamber.

The President asked the special committee to escort the State elected officials from the House Chamber.

The President asked the special committee to escort the Supreme Court Justices from the House Chamber.

On motion of Representative Sullivan, the Joint Session was dissolved. The Speaker (Representative Moeller presiding) assumed the chair.

The Sergeant at Arms of the House and the Sergeant at Arms of the Senate escorted President of the Senate Owen, and members of the Washington State Senate from the House Chamber.

The Senate was called to order at 12:00 p.m. by President Owen.

#### **MOTION**

At 12:01 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 noon, Thursday, March 19, 2015.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate



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